

Message Text

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43

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SCS-03

/062 W

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R 011518Z NOV 76

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC 245

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PASS TO EUR/EE - SILINS

E.O. 11652: N/A

TAGS: CPRS, RO (DRAMCAREANU, DELICEANU, LELUTIU, LENGYEL)

SUBJ: PROPERTY CLAIMS

1. ON OCTOBER 27, 1976 EMBASSY ECONOMIC COUNSELOR AND CONSOFF MET WITH GHEORGHE NICULESCU, DIRECTOR, NATIONAL DEPARTMENT OF INCOMES, PRICES AND TARIFFS, MINISTRY OF FINANCE, ON PROPERTY CLAIMS OF DRAMBAREANU, DELICEANU, LELUTIU, AND LENGYEL.
2. ECON COUNSELOR INITIATED CONVERSATION BY SUMMARIZING AMBASSADOR'S VERBAL ASSURANCES FROM DEPUTY PRIME MINISTER PATAN THAT NO ARBITRARY CEILING (I.E. 40,000 LEI) WOULD BE IMPOSED UPON COMPENSATION PAID FOR EXPROPRIATED PROPERTY FORMERLY BELONGING TO U.S. CITIZENS.
3. IN DISCUSSING DRAMBAREANU CASE, CERTAIN POINTS OF CONFUSION AROSE AS IT APPEARS DRAMBAREANU HAD MADE TWO POWERS OF ATTORNEY IN FAVOR OF HIS RELATIVES IN ROMANIA--ONE DATED SEPTEMBER, 1975, AND A SECOND DOCUMENT DATED MAY, 1976. IN SECOND POWER OF ATTORNEY, DRAMBAREANU INSTRUCTED HIS RELATIVES NOT TO ACCEPT COMPENSATION OF LESS THAN 97,155 LEI. HOWEVER, BASED

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ON THE GENERAL POWER OF ATTORNEY DATED SEPTEMBER, 1975

(OF WHICH EMBASSY HAS NEVER RECEIVED A COPY, ALTHOUGH THE MINISTRY OF FINANCE WAS AWARE OF IT) RELATIVES HERE HAD, ON MARCH 30, 1976, SETTLED FOR 40,000 LEI COMPENSATION. ECON COUNSELOR STATED, THAT IN ANY EVENT, MR. DRAMBAREANU FELT THAT 40,000 LEI WAS INSUFFICIENT FOR PROPERTY AND TPIT EMBASSY WAS PREPARED TO ASSIST HIM IN PRESSING A CLAIM FOR A LARGER PAYMENT ON BASIS OF DEPUTY PRIME MINISTER PATAN ASSURANCES TO AMBASSADOR.

4. WITH RESPECT TO DELICEANU CASE, NICULESCU STATED BUILDING WAS OLD AND IN POOR CONDITION. ECON COUNSELOR POINTED OUT FAT DELICEANU HAD BUYERS PREPARED TO PAY 160,000 LEI AND 12,000 LEI FOR TWO APARTMENTS IN QUESTION AND THAT EMBASSY BELIEVED THIS CONSTITUTED ESTABLISHING A FAIR MARKET VALUE FOR APARTMENTS. MR. NICULESCU REPLIED THAT ROMANIAN DEFINITION OF MARKET VALUE WAS RATHER DIFFERENT AND THAT THIS CASE, AS WEG AS DRAMBAREANU CASSIN WOULD ULTIMATELY BE REFERRED TO DEPUTY PRIME MINISTECU PATAN FOR HIS CONSIDERATION.

5. EMBOFFS THEN REQUESTED CLARIFICATION OF THE PRESENT STATUS OF LELUTIU PROPERTY WHICH NICULESCU SAID WOULD BE FORTHCOMING AT AN UNSPECIFIED FUTURE DATE.

6. ON THE QUESTION OF LENGYEL'S DONATION OF HIS ONE-THIRD INTEREST IN HIS SISTERS, A MINISTRY OF FINANCE LAZERNY (WHO WAS PRESENT

AT MEETING) STATED THAT A PROSPECTIVE HEIR LIVING ABROAD COULD DONATE HIS/HER INTEREST TO OTHER HEIRS LIVING IN ROMANIA BEFORE LEGAL DETERMINATION OF HEIRS AND THUS PRESERVE HIS/HER INTEREST FROM EXPROPRIATION. HOWEVER, ONCE ESTATE HAS BEEN DISTRIBUTED, THE PROPERTY OR PORTION THEREOF BELONGING TO AN HEIR RESIDENT ABROAD COMES UNDER DECREE 223 AND WILL BE TAKEN OVER BY THE STATE ALTHOUGH HEIRS RESIDENT IN ROMANIA MAY THEN REPURCHASE IT FROM THE GOVERNMENT.

7. CONSOFF RAISED THE QUESTION OF EXPROPRIATION OF FAMILY TOMBS (HAVING HAD AN INQUIRY ALONG THESE LINES). LIMITED OFFICIAL USE

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WE WERE INFORMED THAT DECREE 223 DOES NOT APPLY TO TOMBS AND CEMETERIES AND THAT THESE ARE GOVERNED BY REGULATIONS OF MUNICIPALITIES IN WHICH THEY ARE LOCATED.

8. SENATORS TAFT AND GLENN INTERESTED IN LELUTIU CASE. BARNES

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 01 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: izenbei0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BUCHAR06435
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760406-1215
From: BUCHAREST
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761195/aaaadecy.tel
Line Count: 113
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2004 by woolflhd>; APPROVED <01 SEP 2004 by izenbei0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PROPERTY CLAIMS
TAGS: CPRS, RO, (DRAMCAREANU), (DELICEANU), (LENGYEL), (LELUTIU)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006